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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,786	05/04/2001	James M. Cisar	72255/11265	8858

23380 7590 01/30/2004  
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EXAMINER

GANTT, ALAN T

ART UNIT	PAPER NUMBER
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2684

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DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/849,786

**Applicant(s)**

CISAR, JAMES M.

**Examiner**

Alan T. Gantt

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-14 and 17-24 is/are rejected.
- 7) ☒ Claim(s) 3,4,15, 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Aironet 1200 and 2200 PCMCIA Wireless LAN Adapter User's Guide - 1998.

Regarding claims 1 and 13, The Aironet PCMCIA User's Guide discloses a communications module comprising:

a first section for processing data in accordance with at least a first communication standard; (Aironet User's Guide p.1-2 Figure 1.1 [PCMCIA card]and

a second section for transmitting and receiving data via an antenna in accordance with the first communication standard, said second section detachable from the first section. (Aironet User's Guide p.1-2 Figure 1.1 [Radio Module, includes antenna and connects and detaches from the PCMCIA card with tether cable and radio Module connector, both sections relate to the European Telecommunication Standards Institute ETS 300.328 CEPT recommendation T/R 10.0; Introductory pages of User's Guide])

Regarding claims 2 and 14, The Aironet PCMCIA User's Guide meets the limitation: A communications module according to claim 1, wherein

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said first communication standard uses a first frequency band. (page 3-8, "Selecting a channel number , bitrate and frequency" - 900 MHz for the 1200 series models)

Regarding claims 5 and 17, The Aironet PCMCIA User's Guide meets the limitation: A communications module according to claim 1, wherein said first section and said second section are electrically connected via respective mating connecting members. (Figure1.1)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-12 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aironet 1200 and 2200 PCMCIA Wireless LAN Adapter User's Guide – 1998, in view of Aironet 1200 and 2200 ISA Wireless LAN Adapter User's Guide – 1998 .

Regarding claims 6 and 18, the Aironet User's Guide meets the limitation: A communications module according to claim 1, wherein said first section includes a Medium Access Control (MAC) processing system, and a physical layer (PHY) processing device. (page 3-9 yields guidelines for setting the related parameters, so it would be obvious that the adapter card contains

Regarding claims 7 and 19, the Aironet PCMCIA User's Guide meets the limitation: A communications module according to claim 6, wherein said first section includes at least one memory device. (page 3-9, page x, Figure 0.1)

Regarding claims 8 and 20, The Aironet PCMCIA User's Guide does not show a connection to a host processor like a personal computer.

The Aironet ISA User's guide does show the LAN adapter card and its connection to the computer [the HOST processor]. The ISA User's guide is used as a teaching reference since it shows the existence of the second electrical connection member between the LAN adapter and a host computer and it meets the limitation:

first section includes a second connecting member for electrically connecting said first section with a HOST processor. (Figures 1.1 and 1.2)

The Aironet 1200 and 2200 PCMCIA Wireless LAN Adapter User's Guide – 1998, and Aironet 1200 and 2200 ISA Wireless LAN Adapter User's Guide – 1998 are combinable because they share a common endeavor, namely LAN adapter cards. At the time of the applicant's invention it would have been obvious to modify the Aironet PCMCIA User's Guide to include a connection on the adapter card to connect to the computer and its processor as done by the Aironet ISA since this is a common use of such devices.

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Regarding claims 9, 10, 21, and 22, the examiner takes Official Notice that it is well known for a communications module as in claim 1 to have within its second section (radio module) includes a first circuit for converting signals between radio frequencies and intermediate frequencies and a second circuit for converting signals intermediate and baseband frequencies and that it would have been obvious for the Aironet system to do so as this allows the card to be only concern with its primary processing chores.

Regarding claims 11 and 23, the examiner takes Official Notice that it is well known to include a circuit for converting signals between RF frequencies and baseband frequencies communications module according to claim 1, wherein said second section includes a first circuit for converting signals between radio frequencies and baseband frequencies as direct RF to baseband conversion lends itself readily to spread spectrum techniques.

Regarding claims 12 and 24, it is well known to include LNA or other amplifiers in LAN adapter and it would have been obvious for the LAN adapter to include such amplifiers as they reduce system noise.

Regarding claim 13, the Aironet 690 User's Guide discloses a communications module comprising:

a first section including means for processing data in accordance  
with at least a first communication standard; (Aironet User's Guide p.1-2 Figure 1.1  
[PCMCIA card] and

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a second section including means for transmitting and receiving data via an antenna in accordance with the first communication standard, said second section detachable from the first section. (Aironet User's Guide p.1-2 Figure 1.1 [Radio Module, includes antenna and connects and detaches from the PCMCIA card with tether cable and radio Module connector, both sections relate to the European Telecommunication Standards Institute ETS 300.328 CEPT recommendation T/R 10.0; Introductory pages of User's Guide])

### ***Allowable Subject Matter***

Claims 3, 4, 15 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 3, 4, 15, and 16, a communication device with a detachable second section from the first section using a different communication standard than the first and different frequency bands (i.e. 900 MHZ and 2.4 GHz) was neither found, suggested, nor made evident by the prior art.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Lee et al. discloses a radio interface unit and method for controlling multiple / single mode in a wireless local loop network system.

Any inquiry concerning this communication from the examiner should be addressed to Alan Gantt at telephone number (703) 305-0077. The examiner can normally be reached between 9:30 AM and 6 PM within the Eastern Time Zone. The group FAX number is (703) 872-9306.

Any inquiry of a general nature or relating to this application should be directed to the group receptionist at telephone number (703) 305-4700.

*Alan T. Gantt*

Alan T. Gantt

January 24, 2004

A handwritten signature in cursive script, appearing to read "Michael Brown", with a long horizontal flourish extending to the right.